

JUDGE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAM VAN DANG and SANXAY
HANG XAYADETH,

Defendants.

NO. CR05-317-MJP

ORDER ON STIPULATED MOTION
TO CONTINUE PRETRIAL MOTIONS
FILING DATE AND TRIAL DATE

THE COURT having considered the stipulation of the parties, the records and files herein, and the motion for continuance of pretrial motions date, the Court hereby makes the following findings:

1. The Court finds that the period of time during which Mr. Xayadeth is being evaluated and treated is excluded from speedy trial calculations, pursuant to 18 U.S.C. § 3161(h)(1)(A).

2. The Court also finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

3. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial

1 preparation and that these factors outweigh the best interests of the public and the
2 defendants in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

3 IT IS THEREFORE ORDERED that the time within which pretrial motions must
4 be filed in this case is extended from August 11, 2006, to December 11, 2006, and the
5 trial date from September 18, 2006, to January 8, 2007.

6 IT IS FURTHER ORDERED THAT the time period between September 18,
7 2006, and January 8, 2007, is excludable time, pursuant to 18 U.S.C. § 3161(h)(1)(A),
8 (h)(8)(B) and (h)(8)(A), for the purposes of computing the time limitations imposed by
9 the Speedy Trial Act, 18 U.S.C. § 3161-3174.

10 DONE this 18th day of August, 2006.

11
12 /S/Marsha J. Pechman
13 MARSHA J. PECHMAN
United States District Judge

14 Presented by:

15 Nancy Tenney
16 Assistant Federal Public Defender
WSBA No. 35304
17 Attorney for Defendant Sanxay Xayadeth
Federal Public Defender's Office
18 1601 Fifth Ave., Suite 700
Seattle, WA 98101
206/553-1100
19 206/553-0120

Catherine Chaney
WSBA No. 21405
Attorney for Tam Van Dang
119 1st Ave. S., Suite 500
Seattle, WA 98104-3400
206/343-7642
206/621-1256
cchaney@msn.com

20 Mark Bartlett
21 Assistant United States Attorney
Mark.Bartlett@usdoj.gov